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International Court of Justice

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Take 4 - P 6
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25 June 1946
Rathcke

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

17 DO -11

COMMISSIONER:

Mr. Rasumov

THE SA

(The Commission reconvened at 1600 hours.)

MR. RASUMOV: Before we proceed with our work, I would like to draw the attention of the Defense Counsel to the following order of the Tribunal on June 26th: Paragraph One, "The Commission has now heard nearly fifty witnesses. In order to comply with the request of the Defense to ensure a fair and representative hearing for each organization, it may be necessary to hear twenty or thirty more before the fifth of July. The time of hearing of each witness must, therefore, be considerably curtailed." Paragraph Two, "The Commissioners ~~have decided~~ desire to point out, that with certain exceptions, the organizations have been described by the witnesses in detail in accordance with Paragraph Six of the Tribunal's order of March 13th. They consider, therefore that both the Defense and Prosecution need only pay attention to points which have not as yet been brought up, and not ~~highly to~~ discussed before the Commission." ~~Rngr~~ Paragraph Three, "At the discretion of the Commissioner, the hearing of the witness--including cross-examination and re-examination--will in the future be permitted to continue for not more than three hours."

DR. EINHARDT RATHCKE, a witness, took the stand and testified as follows:

BY MR. RASUMOV:

Q. Will you state your full name?

A. ~~R~~ Einhardt Rathcke.

Q. Will you raise your right hand, and repeat after me?

I swear by God, the Almighty and Omniscient, that I will speak the whole truth and will withhold and hide nothing.

(The witness repeats the oath.)

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BY DR. BOEHM:

Q. I shall here dwell on the question of the SA and the churches and on the character of the SA as seen by an individual German. First, a few personal questions. What is your profession, witness?

MR. MARECCO: If I may interrupt Defense Counsel before he starts. This witness isn't to be allowed to give an individual opinion. He is only being allowed to speak about the SA and the church.

DR. BOEHM: Who made that decision?

MR. MARECCO: The Commission.

DR. BOEHM: I discussed the matter with Colonel Neave, and Colonel Neave stated that it would be very interesting to hear the witness on both matters;

MR. RASUMOV: Have you spoken to Colonel Neave on this matter?

DR. BOEHM: Yes.

MR. MARECCO: I am referring to Defense Counsel's application on this witness. (Application is handed to Mr. Rasumov.)

MR. RASUMOV: The witness is supposed to be in a position to describe the attitude of the SA toward the church question, so I think we have to stick to this theme--and not go very far from the theme.

DR. BOEHM: Under that condition, I would like to request that Colonel Neave should hear about that, because I had a conversation with him about the subject. When Colonel Neave asked me what the witness would be heard on, I stated that he is a man from the church administration and could say more than just the average church member and reflect the attitude of the SA toward the church people. Colonel Neave said it would be interesting to hear this. I suggest that I be allowed to question the witness along this line, with the understanding that the Prosecution would object to personal questions.

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MR. MARECCO: I have just spoken to Colonel Neave on the 'phone, and he says emphatically that this witness is being allowed to testify on the subject of the attitude of the SA toward the church. Anything else is not allowable.

A. I was a member of the Consistorial Council--a council of the church administrative body.

BY. Dr. Boehm:

Q. Since when were you a member of the Evangelical Church Consistorium?

A. Since April 1, 1938.

Q. Do you know the attitude of the ~~xxxxxx~~ Party toward church questions even preceding your entry into that council; ahd, if so, since when?

A. Yes. I am familiar with those problems approximately since 1930.

Q. ~~Xxxxxx~~ Were you a member of the Nazi Party?

A. Yes. Since May 1, 1933.

Q. Until when?

A. Until November, 1938.

Q. Were you ~~x~~ a member of any the Organizations of the Nazi Party?

A. Yes. I was a member of the SA.

Q. Until when?

A. Until November, 1938.

Q. The Prosecution charges the SA, and therefore each individual member of the SA, with having been guilty of crimes against the peace, against the laws of war, and against humanity. Do you, who ~~xxxxxxxxxxxxxxxx~~ were a member of the SA from 1933 to 1938, feel ~~x~~ guilty of those crimes?

A. Most emphatically, and with full power of my conscience, I wish to state that there can be no confession of guilt which has been forced by the power of the sword. Such a confession of guilt would be religiously invalid, morally worthless, and politically faulty.

~~Qx~~ COMMANDER FELTON: This witness has not been arraigned here to plead guilty or not guilty. Please see that he sticks to the facts.

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DR. BOEHM: It is my opinion that these are matters of conscience, and it is material to hear a minister on these points.

MR. RASUMOV: Very well. Go on.

By Dr. Boehm:

Q. The confession of guilt of Dr. Niemoller might possibly make reference to SA men too, and I would therefore like to ask you, does that confession of Dr. Niemoller refer to you individually?

A. Only as far as that confession makes reference to the general sinful nature of man. As far as it makes a confession of that human guilt before God, yes, it covers me. As far, however, as it points to political events of the past, I would say, no.

Q. What element made for the power of the SA in 1933, and for its tremendous increase in membership figures during those months?

A. The power of the SA to gain new members in 1933 was based on the desire of all Germans, after the years of class struggle and class strife, to gain a real socialistic community. And to demonstrate against the effects--vis-a-vis, the injustice and unfairness--of the Versailles Treaty.

Q. Were those attitudes affirmed from the point of view of Christianity and the Church?

MR. MARECCO: Any question of the Versailles Treaty is entirely irrelevant. This witness is here to say, did or did not the SA persecute the Church?

MR. RASUMOV: The matter is that we, here, do not concern ourselves with the Versailles Treaty or Christian morals. We are here to deal with the attitude of the SA toward the Church. The Prosecution is quite right.

DR. BOEHM: That question was not posed to criticize the Versailles Treaty, but rather to submit to the Tribunal the position which the SA took toward the Versailles Treaty. The question should not be answered.

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MR. RASUMOV: Will you repeat your question again.

(The Dr. Boehm repeats his question.)

MR. RASUMOV: Very well. Go on.

A. The idea of socialism was affirmed by the Church because it is demanded by the order of the Church to love your brother. And all the people of Europe and America and Scandinavia have fought against Versailles and in the international conferences of Stockholm and Berne.

MR. MARECCO: This has nothing to do with the SA at all.

A. (continuation): ~~Inside~~ Unfortunately, the Bern Declaration of 1926 had only a partial success.

Q. Did the...

MR. RASUMOV: But we don't talk here about the attitude of the NSDAP to the SA. We are talking about the attitude of the SA toward the Church.

DR. BOEHM: That will be my next question.

BY DR. BOEHM:

Q. ~~The~~ Did the SA have a positive attitude toward the Church?

A. Yes. In the Spring of 1933 the SA in all German localities streamed into the churches and participated in church activities, ~~and became~~ in many cases, as ~~one closed~~ a closed unit.

Q. Did ministers of the Church belong to the SA?

A. Yes. I do know a considerable number of ministers who belonged to the SA.

Q. Were those ministers used to spread the gospel of the Lord within the ranks of the SA?

A. Yes. As I pointed out already, in the beginning divine services were attended by SA men as a closed unit. The sacraments were received by the SA as a closed unit, and in the beginning it was very clear that there was a

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religious movement within the ranks of the SA. Many people who had left the Church returned to the Church, and we considered our function in the SA as one of a religious mission.

Q. And at what time did there develop within the SA a tendency hostile towards the Church?

A. Around the end of 1937 and in the course of 1938, there developed a movement at first hostile against theologians. The first indication of that tendency was that ministers and other servants of the Church were advised to leave the SA. The impression was gained that this was an order from higher authorities which was not shared by the SA membership as a whole.

Q. Did the mass of SA membership have a part in the anti-Semitic struggles?

A. The tendency of the SA membership was one of general indifference or of continued church activities as far as the individual SA men were not covered by that just-mentioned order.

Q. Do you know of the attitude of the magazine, "The SA Man", which is considered by the Prosecution to be a leading organ of SA membership? Do you know their attitude against the Church. Particularly, do you know whether that magazine, "The SA Man", made popular a religious form called Gottglaubigkeit--which was not in accordance with the existing form of the Church?

A. I inspected only a few numbers of the "SA Man", and it is true that there was propaganda made for the movement of Gottglaubigkeit--which is mere belief in God; but the SA man had little or no opportunity to read those articles because the "SA Man" reached only, almost exclusively, the offices of SA units.

Q. Was it a result of those Church battles within the SA that the SA man refrained from attending church services, or that he wouldn't attend church anymore in uniform, or that SA men didn't attend church anymore as closed units?

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A. There existed within the German Evangelical Church ~~the~~ conflicts and controversies among the so-called "confessing Christians" and so-called ~~the~~ "German Christians", and therefore ~~the~~ church membership was repulsed by those inner-church controversies. And it so happened that, ~~in~~ in places where a another minister took a decisive step in favor of one or the other faction, that/~~part~~ part of the church membership ~~a~~ refrained from attending services.

Q. That was mainly a conflict within the Church, wasn't it? I would like to ask you whether the majority of the ministers were in favor of that so-called "Gottglaubigkeit", mere belief in God, or not?

A. The overwhelming majority of the ministers merely proclaimed the gospel, and did not participate in those ~~controversies~~ controversies.

Q. Did the supreme body of the church administration ever request you to leave the SA?

A. The superior authority of my church never asked me to leave the SA, and I know of no single instance that a prince of the church in a foreign country requested any German to leave the SA.

Q. Did the administration of the Evangelical Church request the SA membership in general to leave the SA?

A. No, such an instruction was not issued either.

Q. Did there exist within the SA, at all, unity of forming the individual's will?

A. As far as I can say, there did not exist unity or a common purpose of the forming of the will and the philosophic attitude of the SA membership. It couldn't exist ~~because~~ because, in 1933, men from all walks of life joined within the SA-/Marxists, Socialists, ministers--and ~~philosophically~~ philosophically ~~there~~ there was not a homogenous body at all.

Q. Could you give us examples beyond that which you said theoretically,

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examples to show that such a philosophical unity of purpose did not exist within the SA?

A. Whenever practical social problems were discussed, as, for instance, housing, wages, salaries, labor unions, etc., none of these questions had been formulated into one uniform opinion of the SA membership.

Q. Was there ever put before the SA a clear task and mission?

A. The element of conflict within the SA was that the SA was organized when its supposed mission--the protection of meetings and assemblies--was not required any longer. Subsequently, an attempt was made to take SA members from a variety of spheres of life--to form them all into one unit; but that attempt did not lead to concrete results.

Q. Was the conducting of contests to achieve the SA Athletic Badge one of the tasks common to all members of the SA?

A. After many experiments, the procedure for the SA Athletic Badge was stipulated--I believe it was in 1935. I condider that one common purpose which SA men had.

Q. Did you learn that there existed a common plan to participate in criminal activities?

A. No, I did not obtain any instructions or orders which would have indicated anything of that kind--for instance, in the direction of an aggressive war. On the basis of the situation as it existed in 1933, up to approximately 1936 or 1937, no reasonable person could assume that an aggressive war would be waged.

Q. Wasn't it virtually shocking, particularly to intelligently persons, to see how the SA service was carried out?

A. Yes, and that was the reason why people participated with so very little enthusiasm in SA services. Particularly in the lower units, pressures of all

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kinds had to be applied to get them to the regular SA meetings and to the special SA demonstrations.

Q. Did you conclude from your own work as an SA man--or as ~~an~~ a member of the Church--or as a member of the Church Konsistorium,--or did you conclude from any orders issued, that the SA was to be used as a tool for aggressive warfare?

A. In the years after 1933, every pronouncement in public was a reaffirmation of peace. Whenever a demonstration was held, people talked only about peace. Therefore, the average person could only conclude that there would be no war. (I would like to st~~ress~~ that I was active only as a Konsistorialrat, and that I was not active as a member of the Church.)

Q. The opinions which you express cover the overwhelming majority of the members of the SA?

A. Within the SA one has to distinguish very clearly between the large mass of membership who joined the SA either voluntarily or under a certain pressure--and the small circle of SA leaders. The large majority of SA men didn't think very far ahead politically, and didn't have much of an insight into political conditions and circumstances.

Q. On the ~~basis~~ basis of your experience, was membership in the SA voluntary as a whole, or was it rather the result of physical compulsion?

A. Initially, membership in the SA was voluntary. But soon thereafter, under the influence of the thought that there should be an absolute unity between the State and the Party, the idea developed that every citizen should belong to some organization of the Nazi Party. Therefore, employees and civil servants in the larger State offices and the larger industrial plants were urged to join the SA. Many of them actually followed that suggestion, bedause they felt that, if they refused, they would suffer economic disadvantages.

Q. What kind of economic and professional disadvantages might people have suffered if they had not entered the SA?

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A. In the case of civil servants, it would have meant that they would not have been promoted to the higher classifications. Equally, with the other employees of public institutions, that they would have been held back from promotion into higher categories.

Q. Do you know that the SA practiced the suppression of people who thought differently politically, and that they practiced suppression by means of violence?

A. I do remember one instance which I experienced in Brandenburg--a case in which two members of the SA--one Mr. Pasarker and one Mr. Schwarz, both members of the SA--kidnapped a member of the Socialist Party and took him twenty or thirty miles from his home. Those people were indicted for having damaged that man physically, for having put undue pressure on him, and for having changed the number of the car they were using, etc. That case was never settled, because Pasarker died of tuberculosis and Schwarz died in a motor accident.

Q. Is that the only incident you know in which SA members used terror to suppress people who adhered to other political thought?

A. On June 30, 1934, through the public press, I learned of other incidents which had secretly taken place in other places.

Q. How do you answer the question that the SA, in general, used terror to suppress people who adhered to other political thought?

A. I do not think that the great mass of the SA men to whom I belonged had either knowledge or a part in those individual incidents which were carried on by so-called "activists."

Q. Did the mass of the SA men learn of any orders or instructions which would have permitted conclusions in regard to the real intentions of the SA leadership?

A. The orders which the SA actually received were of a nature referring merely to the activities and the services of the specific SA unit--marching, demonstra-

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tions, and so forth. I cannot remember one instance in my SA unit where we received any political announcement.

(The Commission adjourned at 1700 hours.)

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The foregoing is a true and correct transcript of the testimony of DR. EINHARDT RATHKE, taken on 25 June 1946.

Reporter (pp

CERTIFIED TO :

Commissioner

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

H0977-0014

COMMISSIONER : Mr. Rasumov

THE SA

(The Commission reconvened at 1600 hours.)

MR. RASUMOV : Before we proceed with our work, I would like to draw the attention of the Defense Counsel to the following order of the Tribunal on June 26th. : Paragraph One, "The Commission has now heard nearly fifty witnesses. In order to comply with the request of the Defense to ensure a fair and representative hearing for each organization, it may be necessary to hear twenty or thirty more before the fifth of July. The time of hearing of each witness must, therefore, be consi[illegible]y curtailed." Paragraph Two, "The Commissioners desire to point out that, with certain exceptions, the organizations have been described by the witnesses in detail in accordance with Paragraph Six of the Tribunal's order of March 13th. They consider, therefore, that both the Defense and Prosecution need only pay attention to points which have not as yet been brought up, and not yet discussed before the Commission." Paragraph Three, "At the discretion of the Commissioner, the hearing of the witness -- including cross-examination and re-examination -- will in the future be permitted to continue for not more than three hours."

DR. EINHARDT RATHCKE, a witness, took the stand and testified as follows :

BY MR. RASUMOV :

Q Will you state your full name ?

A Einhardt Rathcke.

Q Will you raise your right hand, and repeat after me ?

I swear by God, the Almighty and Omniscient, that I will speak the whole truth and will withhold and hide nothing.

(The witness repeats the oath.)

BY DR. DOEHM :

Q I shall here dwell on the question of the SA and the churches and on the character of the SA as seen by an individual German. First, a few personal questions. What is your profession, witness ?

MR. MARECCO : If I may interrupt Defense Counsel before he starts. This witness isn't to be allowed to give an individual opinion. He is only being

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allowed to speak about the SA and the church.

DR. BOEHM : Who made that decision ?

MR. MARECCO : The Commission.

DR. BOEHM : I discussed the matter with Colonal Neave, and Colonel Neave stated that it would bery interesting to hear the witness on both matters.

MR. RASUMOV : Have you spoken to Colonal Neave on this matter ?

DR. BOEHM : Yes.

MR. MARECCO : I am referring to Defense Counsel's application on this witness.

(Application is handed to Mr. Rasumov.)

MR. RASUMOV : The witness is supposed to be in a position to describe the attitude of the SA toward the church question, so I think we have to stick to this theme, and not go very far from the theme.

DR. BOEHM : Under that condition, I would like to request that Colonel Neave should hear about that, because I had a conversation with him about the subject. When Colonel Neave asked me what the witness would be heard on, I stated that he is a man from the church administration and could say more than just the average church member and reflect the attitude of the SA toward the church people. Colonel Neave sai[illegible]would be interesting to hear this. I suggest that I be allowed to question the witness along this line, with the understanding that the Prosecution would object to personal questions.

MR. MARECCO : I have just spoken to Colonel Neave on the 'phone, and he says emphatically that this witness is being allowed to testify on the subject of the attitude of the SA toward the church. Anything else is not allowable.

BY DR. BOEHM :

Q Since when were you a member of the Evangelical Church Consistorium ?

A Since April 1, 1938.

Q Do you know the attitude of the Party toward church questions even proceding your entry into that council; and, if so, since when ?

A Yes. I am familiar with those probelms approximately since 1930.

Q Were you a member of the Nazi Party ?

A Yes. Since May 1, 1933.

Q Until when ?

A Until November 1938.

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Q The Prosecution charges the SA, and therefore each individual member of the SA, with having been guilty of crimes against the peace, against the laws of war, and against humanity. Do you, who were a member of the SA from 1933 to 1938, feel guilty of those crimes ?

A Most emphatically, and with full power of my conscience, I wish to state that there can be no confession of guilt which has been forced by the power of the sword. Such a confession of guilt would be religiously invalid, morally worthless, and politically faulty.

COMMANDER FELTON : This witness has not been arraigned here to plead guilty or not guilty. Please see that he sticks to the facts.

DR. DOEHM : It is my opinion that these are matters of conscience, and it is material to hear a minister on these points.

MR. RASUMOV : Very well. Go on.

BY DR. DOEHM :

Q The confession of guilt of Dr. Niemoller might possibly make reference to SA men too, and I would therefore like to ask you, does that confession of Dr. Niemoller refer to you individually ?

A Only as far as that confession makes reference to the general sinful nature of man. As far as it makes a confession of that human guilt before God, yes, it covers me. As far, however, as it points to political events of the past, I would say, no.

Q What element made for the power of the SA in 1933, and for its tremendous increase in membership figures during those months ?

A The power of the SA to gain new members in 1933 was based on the desire of all Germans, after the years of class struggle and class strife, to gain a real socialistic community. And to demonstrate against the effects - vis-a-vis the injustice and unfairness of the Versailles Treaty.

Q Were those attitudes affirmed from the point of view of Christianity and the Church ?

MR. MARECCO : Any question of the Versailles Treaty is entirely irrelevant. This witness is here to say, did or did not the SA persecute the church ?

MR. RASUMOV : The matter is that we, here, do not concern ourselves with the Versailles Treaty or Christian morals. We are here to deal with the attitude of the SA toward the Church. The Prosecution is quite right.

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DR. BOEHM : That question was not posed to criticize the Versailles Treaty, but rather to submit to the Tribunal the position which the SA took toward the Versailles Treaty. The question should not be answered.

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MR. RASUMOV: Will you repeat your question again.

(Dr. Boehm repeated his question)

MR. RASUMOV: Very well. Go on.

A The idea of socialism was affirmed by the Church because it is demanded by the church to love your brother. And all the people of Europe and America and Scandinavia have fought against Versailles in the international conferences of Stockholm and Berne.

MR. MARECCO: This has nothing to do with the SA at all.

A (continuation): Unfortunately, the Bern Declaration of 1926 had only a partial success.

Q Did the ---

MR. RASUMOV: But we don't talk here about the attitude of the NSDAP to the SA. We are talking about the attitude of the SA towards the Church.

DR. BOEHM: That will be my next question.

BY DR. BOEHM:

Q Did the SA have a positive attitude toward the Church?

A Yes. In the Spring of 1933 the SA in all German localities streamed into the churches and participated in church activities, in many cases as a closed unit.

Q Did ministers of the Church belong to the SA?

A Yes. I do know a considerable number of ministers who belonged to the SA.

Q Were those ministers used to spread the gospel of the Lord within the ranks of the SA?

A Yes. As I pointed out already, in the beginning divine services were attended by SA men as a closed unit. The sacraments were received by the SA as a closed unit, and in the beginning it was very clear that there was a religious movement within the ranks of the SA. Many people who had left the Church returned to the Church, and we considered our function in the SA as one of a religious mission.

Q And at what time did there develop within the SA a tendency hostile towards the Church?

A Around the end of 1937 and in the course of 1938, there developed a movement at first hostile against theologians. The first indication of

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that tendency was that ministers and other servants of the Church were advised to leave the SA. The impression was gained thatthis was an order from higher authorities which was not shared by the SA membership as a whole.

Q Did the mass of SA membership have a part in the anti-Semitic struggles?

A The tendency of the SA membership was one of general indifference or of continued church activities as far as the individual SA men were not covered by that just-mentioned order.

Q Do you know of the attitude of the magazine, "The SA Man" which is considered by the Prosecution to be a leading organ of SA membership? Do you know their attitude against the Church. Particularly, do you know whether that magazine, "SA Man" made popular a religious form called Gottglaubigkeit -- which was not in accordance with the existing form of the Church?

A I inspected only a few numbers of the "SA Man", and it is true that there was propaganda made for the movement of Gottglaubigkeit--which is mere belief in God; but the SA man had little or no opportunity to read these articles because the "SA Man" reached only, almost exclusively, the offices of SA units.

Q Was it a result of those Church battles within the SA that the SA Man refrained from attending church services, or that he wouldn't attend church anymore in uniform, or thatSA men didn't attend church anymore as closed units?

A There existed within the German Evangelical Church conflicts and controversies among the so-called "confessing Christians and so-called "German Christians", and therefore church membership was repulsed by those inner-church controversies. And it so happened that, in places where a minister took a decisive step in favor of one or the other factions, that another part of the church membership refrained from attending services.

Q That wasmainly a conflict within the Church, wasn't it? I would like to ask you whether the majority of the ministers were in favor of that so-called "Gottglaubigkeit", mere belief in God, or not?

A The overwhelming majority of the ministers merely proclaimed the gospel, and did not participate in these controversies.

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Q Did the supreme body of the church administration ever request you to leave the SA?

A The superior authority of my church never asked me to leave the SA, and I know of no single instance that a prince of the church in a foreign country requested any German to leave the SA.

Q Did the administration of the Evangelical Church request the SA membership in general to leave the SA?

A No, such an instruction was not issued either.

Q Did there exist within the SA, at all, unity of forming the individual's will?

A As far as I can say, there did not exist unity or a common pur-pose of theforming of the will and the philosophic attitude of the SA membership. It couldn't exist because, in 1933, men from all walks of life joined within the SA -- Marxists, Socialists, ministers--and philosophically there was not a homogenous body at all.

Q Could you give us examples beyond that which you said theoriti-cally examples to show that such a philosophical unity of purpose did not exist within the SA?

A Whenever practical social problems were discussed, as, for in-stance, housing, wages, salaries, labor unions, etc., none of these ques-tions had been formulated into one uniform opinion of the SA membership.

Q Was there ever put before the SA a clear task and mission?

A The element of conflict within the SA was that the SA was organized when its supposed mission--the protection of meetings and assemblies -- was not required any longer. Subsequently, an attempt was made to take SA members from a variety of spheres of life--to form them all into one unit; but that attempt did not lead to concrete results.

Q Was the conducting of contests to achieve the SA Athletic Badge one of the tasks common to all members of the SA?

A After many experiments, the procedure for theSA Athletic Badge was stipulated--I believe it was in 1935. I consider that one common pur-pose which SA men had.

Q Did you learn that there existed a common plan to participate in criminal activities?

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A No, I did not obtain any instructions or orders which would have indicated anything of that kind--for instance, in the direction of an aggressive war. On the basis of the situation asit existed in 1933, up to approximately 1936 or 1937, no reasonable person could assume that an aggressive war would be waged.

Q Wasn't it virtually shocking, particularly to intelligent persons, to see how the SA service was carried out?

A Yes, and that was the reason why people participated with so very little enthusiasm in SA service. Particularly in the lower units, pressures of all kinds had to be applied to get them to the regular SA meetings and to the special SA demonstrations.

Q Did you conclude fromyour own work as an SA man--or as a member of theChurch--or as a member of the Church Konsistorium--or did you conclude from any orders issued, that the SA was to be used as a tool for aggressive warfare?

A In the years after 1933, every pronouncement in public was a reaffirmation of peace. Whenever a demonstration was held, people talked only about peace. Therefore, theaverage person could only conclude that there would be no war. (I would like to state that I was active only as a Konsistorialrat, and that I was not active as a member of the Church).

Q The opinions which you express cover the overwhelming majority of the members of the SA?

A Within the SA one has to distinguish very clearly between the large mass of membership who joined the SA either voluntarily or under a certain pressure--and the small circle of SA leaders. The large majority of SA men didn't think very far ahead politically, and didn't have much of an insight into political conditions and circumstances.

Q On the basis of your experience, was membership in the SA voluntary as a whole, or was it rather the result of physical compulsion?

A- Initially, membership in the SA was voluntary. But soon thereafter, under the influence of the thought that there should be an absolute unity between the State and the Party, the idea developed that every citizen should belong to some organization of the Nazi Party. Therefore,

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employees and civil servants in the larger State offices and thelarger industrial plants were urged to join the SA. Many of them actually followed that suggestion, because they felt that, if they refused, they would suffer economic disadvantages.

Q What kind of economic and professional disadvantages might people have suffered if they had not entered the SA?

A In the case of civil servants, it would have meant that they would not have been promoted to the higher classifications. Equally, with the other employees of public institutions, that they would have been held back from promotion into higher categories.

Q Do you know that the SA practiced the suppression of people who thought differently politically, and that they practiced suppression by means of violence?

A I do remember one instance which I experienced in Brandenburg--a case in which two members of the SA--one Mr. Pasarker and one Mr. Schwartz, both members of the SA--kidnapped a member of the Socialist Party and took him twenty or thirty miles from his home. These people were indicted for having damaged thatman physically, for having put undue pressure on him, and for having changed the number of the car they were using, etc. That case was never settled, because Pasarker died of tuberculosis and Schwarz died in a motor accident.

Q Is that the only incident you know in which SA members used terror to suppress people who adhered to other political th ughts?

A I do not think that the great mass of the SA men to whom I belonged had either knowledge or a part in those individual incidents which were carried on by so-called "activists."

Q Did the mass of the SA men learn of any orders or instructions which would have permitted conclusions in regard to the real intentions of the SA leadership?

A The orders which the SA actually received were of a nature referring merely to the activities and the services of the specific SA unit -- marching, demonstrations, and so forth. I cannot remember in my SA unit where we received any political announcement.

(The Commission adjourned at 1700 hours).

H0977 - 0023

The foregoing is a true and correct transcript of the testimony of DR, EINHARDT RAUTTER, taken on 25 June 1946.

D. J. Noll
Reporter

CERTIFIED TO:

Rasumov
Commissioner